

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CODY WAYNE MAYFIELD,)	
)	
Petitioner,)	
vs.)	NO. CIV-16-0557-HE
)	
JOE ALLBAUGH, Director,)	
)	
Respondent.)	

ORDER

Petitioner, a state prisoner appearing *pro se*, brought this action pursuant to 28 U.S.C. § 2254, challenging his convictions in state court. He also filed an application to proceed *in forma pruperis*. Consistent with 28 U.S.C. § 636(b)(1)(B), this matter was referred for initial proceedings to Magistrate Judge Shon T. Erwin, who recommends the application for leave to proceed *in forma pauperis* be denied and the case be dismissed unless plaintiff pays the full filing fee. Objections to the Report and Recommendation were due by June 13, 2016. Doc. No. 3, at 2.

Petitioner has not objected to the Report and Recommendation, and has therefore waived any right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059–60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C). In addition, petitioner has now paid the filing fee in this case. [Doc. No. 9]. Accordingly, the Report and Recommendation [Doc. No. 8] is **ADOPTED**. Petitioner’s Application for Leave to Proceed In Forma Pauperis [Doc. No. 3] is **DENIED**. Because the filing fee has now been paid, this case is referred to Judge Erwin for further proceedings as

appropriate.

IT IS SO ORDERED.

Dated this 20th day of June, 2016.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE